

# RIVERS AND HARBORS.

## S P E E C H O F M R . F I T C H , O F I N D I A N A , D E L I V E R E D

IN THE HOUSE OF REPRESENTATIVES, FRIDAY, FEBRUARY 14, 1851,

*On the Bill reported from the Committee on Commerce, making appropriations for the improvement of certain Rivers and Harbors.*

The House being in Committee of the Whole on the state of the Union, (Mr. MEADE in the chair,) on the bill making appropriations for the improvement of certain Rivers and Harbors—

Mr. FITCH said:

Mr. CHAIRMAN: It is not my intention to discuss the details of this bill, but its importance is such as to render me averse to giving a silent vote. It is the principle involved—the constitutional right to make appropriations of this character—for which I shall contend. It may not be inappropriate to first answer an allegation of the gentleman last up, [Mr. MORSE.] He charged the friends of the bill with the manifestation of a wish to rush it through Congress “with indecent haste.” The gentleman must be very oblivious of facts when he indulges in such language. No such disposition has been, or is entertained by its friends. On the contrary, the bill was reported during the last session, has been before the House ever since, and of easy access, if not upon the desk of all members. If gentlemen have neglected to make themselves familiar with its details within the months during which it has been before us, who is blamable, the friends of the bill, or those who have thus neglected to inform themselves of the business of the House, and upon which they knew they would be required to act? So far from there having been any “indecent haste” manifested by those who intend supporting the bill, they have given notice time after time for months past, during this session and the last, of their intention to call it up on the very first opportunity. And they have made repeated attempts so to do—but hitherto unsuccessfully. Where was the gentleman from Louisiana [Mr. MORSE] during all this time?

My anxiety to state the reasons which control my vote in favor of the bill, is the greater because of there being certain gentlemen on this side of the House who esteem their own judgment so infallible in political matters that they desire to coerce all others into a support of their views. To do this, they evince a disposition to array against such of the Democratic party as support the bill, a charge of abandonment of the principles of the party.

They pay but a poor compliment to their own honesty and integrity of purpose, when, by using idle threats towards others, they thereby tacitly admit the probability of themselves being influenced by such. My democracy is as unquestioned and unquestionable as that of any member upon this floor; but I shall not square my political action by that of any self-constituted mentor. Gentlemen may choose a Procrustean bed upon which to measure themselves, but they err if they imagine I will submit to be cut off because too long, or stretched out because too short, that I may be adapted to their standard.

The names of eminent men, the earlier Presidents and others, have been appealed to by the opponents of the bill to sustain the positions they assume. The acts and opinions of these eminent men are upon record; and the record shows that those sustaining the bill have by far the greatest amount of evidence afforded by such acts and opinions, in their favor. In 1789 the first Congress under the Constitution, a Congress composed in part of the very men who had framed the Constitution, passed an act appropriating out of the national Treasury the necessary funds for the “support, ‘ maintenance, and repairs of all light-houses, beacons, buoys, and public piers;” “at the entrance of, or within any bay, inlet, harbor, or port of the United States for rendering the navigation thereof easy and safe;” and placing all such works under the superintendence of the President. This act was approved the 7th August, 1789, by General Washington. It was a general act, embracing all the establishments then connected with our commerce. Our great inland lakes and rivers were scarcely known except by name. They were navigated by little other than the canoe of the Red man. Had the country been then as now, can any one doubt that the same provisions—“for rendering the navigation thereof easy and safe”—would have been extended to those great inland channels? And who of the many opponents of the bill now before us will *dare* question the knowledge and correct interpretation of the Constitution by *that* Congress? Who will be bold enough to

charge Washington with aiding the General Government in usurping rights not its own, or acting in a manner other than for the best interests of his country? Mr. Jefferson's opinions, though he was favorable to the principle, were adverse to the constitutionality of appropriations for "roads, rivers, and canals;" but this opinion cannot be fairly arrayed against the bill under discussion, for it provides for neither "roads" nor "canals." Then, and for some time subsequently, no distinction was known or made between appropriations for *artificial* channels—roads and canals—and *natural* channels—lakes and rivers; being all classed in the same category, and indeed national establishments for education included with them, all were by Mr. Jefferson esteemed unconstitutional! And how could any other opinion of such a group be entertained then or ever? Now the distinction is well defined and well understood. Mr. Jefferson, however, practically contradicted his constitutional objection to roads by approving and signing a bill appropriating money for "laying out and making" the Cumberland road; and subsequently confirmed this contradiction by recommending a continuance of the road west. That "roads and canals" were the special improvements he esteemed unconstitutional for the General Government, we can fairly infer from his protest written for the Virginia Assembly, at a much later period, (1825,) and after our lakes and rivers, by the increase of our population and the introduction of steam-boats, had acquired importance as national channels of commerce. In that protest, "roads and canals" *only* are mentioned as the internal improvements by the General Government to which exception was taken. Mr. Madison was likewise favorable to the policy of internal improvements, but thought them unconstitutional. As, however, he signed appropriations for harbors, the latter could not have been embraced among the works he thus esteemed.

Mr. Monroe's earlier opinions coincided with Mr. Madison's; but within the period during which he entertained such opinions, he approved one (although he vetoed another) bill making appropriation for internal improvements. His views were subsequently changed, and he avowed his belief in the constitutional right to appropriate for works of a national character.

General Jackson was opposed, upon constitutional grounds, to appropriations for works "which are not national in their character," and recommended Congress to refrain from prosecuting any except "improvements already begun." He appears to have believed works on the seacoast to be national and constitutional, because "the consumer in the most inland State derives the same advantage from every necessary and prudent expenditure for the facility and security of our foreign commerce and navigation, that he does who resides in a maritime State." A true proposition; and so is its converse. What citizen of a maritime State—what maritime town is not interested in and benefited by facilities afforded our great inland lake and river navigation? What would New Orleans—the principal city of the State, represented in part by the gentleman who has just spoken against the bill, [Mr. MORSE]—what would that city be without the Mississippi and its tributaries? What a falling off would occur in the wealth and business of New York, if our great lakes

could not be navigated for the want of harbors? A very considerable share of our foreign commerce is dependent upon that of our lakes and rivers. General Jackson's objections to one river and harbor bill were, that it made appropriations "for the improvement of streams that are not navigable, that are not channels of commerce, and that do not pertain to the harbors or ports of entry designated by law, or have any ascertained connection with the usual establishments for the security of commerce, external or internal." These objections contain all the admissions any true friend of rivers and harbors can desire, and, together with his support of such works as did not lose "sight of the distinction between national and local character," would subject him to the same denunciations which are hurled at the supporters of the bill before us, by certain of its opponents, who exceed all others of their "day and generation" in political wisdom, according to their own estimate. They are in imminent danger, for

"Some have been wounded with conceit,  
And died of mere opinion strait."

Although an advocate of this bill, I am not among those, if there are any—and there must be few, if any, on this side of the House—who would vote an expenditure on a river not navigable, to make it so by dams, locks and side cuts. There is a wide difference between expenditure for such a purpose, and for the purpose of removing accidental obstructions from a river well known to be naturally navigable. I would not vote money for improvement of a harbor where there could be no commerce—a harbor which had no "connection with the usual establishments for the security of commerce, external or internal," or for a work which "lost sight of the distinction between national and local character." Nor would my vote be cast for appropriations from the National Treasury for construction of turnpikes, railroads, or canals. These were General Jackson's views, and yet he gave his sanction to four or five bills similar in their provisions to the one before us for rivers and harbors.

Down to this time (Gen. Jackson's administration) there had been no properly-defined distinction between works of a local and national character—between the improvement of *natural* channels of commerce and the creation of *artificial* channels. This distinction became gradually to be generally recognized, and for its recognition we are mainly indebted to President Jackson, in his Maysville turnpike veto. It is now one of the best-settled and safest principles of the Democratic party, and I might almost say, of our Government, in the keeping of whatever party it may be, for the time being. In consequence of this distinction becoming then recognized by the Democrats, the question of internal improvements assumed more of a party character than it could previously claim. The Democratic party insisted upon this distinction, while the Whigs advocated the prosecution of a general system, embracing railroads and canals. We have the authority of Mr. McDuffie, of South Carolina, for the statement, that the *policy* of internal improvements is of Republican or Democratic origin. The first step in support of the policy, which contemplated anything other than rendering "easy and safe" the navigation of "bays, inlets and harbors," as provided for by the act to which I have already alluded as approved

by General Washington, was the passage of a bill approved by Mr. Jefferson, for the Cumberland road, then supposed to be a national work. Mr. J. Q. Adams claims to be the first who attempted to reduce this policy to a system, for "the purposes of opening roads and making canals," by the introduction in the Senate, in 1807, of a resolution (drawn by himself but introduced by another Senator) contemplating such system. And he tells us that the great effort of his "Administration was to mature into a permanent and regular system the application of all the surplus revenue of the Union to internal improvement." Finding the policy—originally Democratic—was popular, the Federalists (Whigs) sought to avail themselves of its popularity to perpetuate their power. Hence they reduced it to a system, the expenditures under which were of such character that the Democratic (Jackson) Administration which succeeded Mr. Adams, checked them, and strove to confine them to legitimate objects and purposes, viz: the improvement, in such manner as to render them safe, of existing channels of national commerce. The distinction to which I have alluded became now, therefore, a party question: the Democrats desiring to limit the objects and purposes of the expenditures; the Whigs to continue them for all objects which enter into a *general* system of internal improvements—viz: roads and canals—as well as important rivers and harbors. Hence the Democratic party, in the National Convention, (at Baltimore,) which nominated Mr. Van Buren as General Jackson's successor, for the *first time*, adopted the resolution declaring that the "Constitution does not confer upon the General Government the power to commence and carry on a *general* system of internal improvements." Upon this issue—this declaration of principle, among others, Mr. Van Buren was elected. He called about him an able Cabinet, and was supported by the best talent of the country—among others by Silas Wright. Their understanding of the resolution is clearly conveyed by their acts. It is the plain common-sense understanding—the only one which can be arrived at without a perversion of its letter and spirit—viz: that Government has no constitutional power to commence and carry on all the works which in the aggregate constitute a general system of internal improvements, including of course railroads, canals, and turnpikes. For any system not embracing all these, so far from being a *general*, would be a partial system. I said the acts of Silas Wright and other supporters of Mr. Van Buren's administration showed conclusively their understanding of the resolution. Those acts were, among others, the introduction by Mr. Wright into the Senate, and the passage and approval by the President, of a river and harbor bill, *identical in its objects and purposes* with the bill now before us. And who questions the democracy of Silas Wright, or the *then* democracy of Martin Van Buren?

Mr. Tyler vetoed the "Eastern Harbor" bill, and approved one for improvement of certain western rivers and the lake harbors. In his veto of the former, we find first advanced the singular doctrine that the power to remove obstructions from navigable rivers necessarily implies the power to dig canals and pave roads, and is consequently unconstitutional. Such reasoning is not entitled to the merit of respectable sophistry. It was resorted to

merely to justify a foregone determination to veto. Such reasoning, moreover, involves an absurdity. The power to remove accidental obstructions from a river naturally navigable, and a channel of national commerce, or to render safe a harbor already in existence, is a power to protect, to "regulate commerce"—a power given by the letter of the Constitution. But to excavate canals, or make slack-water navigation, or roads, is to *create* commerce where there was none; and that, Congress has no power to do, express or implied. Yet, according to Mr. Tyler's reasoning, the latter power is inseparable from the former, and neither of them constitutional!

The National Convention, by which Mr. Polk was nominated, adopted the same resolution already mentioned, in opposition to a *general* system of internal improvements. In his first veto of a river and harbor bill, Mr. Polk recognized the distinction which was universally contended for by the Democratic party between national and local works, and natural and artificial channels of commerce. In that veto he said, he was "not disposed to question or disturb the authority to make appropriations" for the protection and safety of "existing channels of navigation." He leaves us to infer that his opposition was to appropriations to be expended "for the advantage of small sections, instead of being applied to the great national purposes in which all have a common interest." The difficulty with him was, to ascertain what were "national purposes." He admitted that some of the objects in the river and harbor bill were unexceptionable, and of course constitutional, thereby unequivocally recognizing the correctness of the principle involved—viz: the constitutionality of such appropriations. He vetoed that bill because, first, he considered it unconstitutional; second, it was unconstitutional in part; third, if constitutional, we had not in the Treasury the money it proposed to appropriate; fourth, if we had the money, we needed it to prosecute the then existing Mexican war! If he had rested his veto upon the last ground alone, the friends of rivers and harbors would have cheerfully acquiesced; for very few I fancy—and if any, I am certainly not of the number—desire the country to contract a national debt, or be crippled in the prosecution of a war, for the purpose of improving rivers and harbors. But as it was, his medley of reasoning was by no means satisfactory, as the subsequent vote on the bill manifests. In his veto of December 15th, 1847, he adopts Mr. Tyler's reasoning—that if Congress has power to improve a natural harbor, the power to create a harbor where there was none necessarily follows; if we have the power to clear a navigable river of accidental obstructions, it follows that we have equal power to make such navigable as are not so naturally, and to "improve them to their fountain head, and make them navigable to their sources," by slack water, or side cuts, or adjunct canals. The conclusion here, as in the similar reasoning by Mr. Tyler, is a *non sequitur* from the premises. It may be very excellent logic, but I acknowledge my inability to appreciate it. I admired Mr. Polk; was to the extent of my ability one of his warmest supporters; but this did not make me blind to his errors; and among his most prominent was this forced conclusion. It was an error, in that it did injustice to himself, in making him inconsistent

with himself, with his opinion as expressed in his first veto message. The power to remove obstructions from a naturally navigable river, or to render safe a natural harbor, is a power to appropriate for "existing channels of navigation"—a power which Mr. Polk, in his first veto message, was "not disposed to question or disturb;" but which, in his veto of December, 1847, he broadly denies. It is a power to appropriate for "great national purposes in which all have a common interest." It was an error, because it does injustice to the eminent men whose opinions he cites to sustain his own—Madison, Monroe, and Jackson. They did practically recognize a distinction between national and local works, and between "existing channels of navigation" and the creation of new channels.

Presidential opinions have great weight with Congress and the country. It is highly proper they should be received with that respect due the opinions of the rulers of a great people; but they should not be permitted to become our sole guide of action. Nor would they, if separated from the power of the Chief Magistrate. They would then be weighed candidly and impartially—would have that influence to which their merit entitled them; not that brought by position and power. They would appeal to the reason, not to the hope of reward or fear of adverse influence. Our Presidents are from us and of us; liable to the same prejudices and errors of judgment, and the same pride of opinion which makes them unwilling to acknowledge such errors. Wishing a thing so to be, they will so act and reason as to accomplish their wish if possible. But our own judgment, not a borrowed one, should govern us. Their opinions are doubtless honestly formed and expressed. Should ours not be equally so? Mr. Polk was an honest man, and a patriot; so is Mr. Fillmore. No one knowing him can doubt it. The political opinions of the former, in a matter in which I distrusted my own judgment, would have far greater weight with me than those of the latter; not because I did not believe those of the latter to be honestly entertained, but because of the difference in our schools of politics—his encouraging a too latitudinarian construction of the Constitution, by which the few can monopolize money and power at the expense of the many. But I will no more yield the convictions of my own judgment to the guidance of the former, than abandon them because they may happen, in a particular instance, to coincide with the opinions of the latter.

Attempts to connect questions like the one before us with party politics are to be regretted, for they are thereby prevented from being dispassionately discussed as national. But as such attempts have been made by those who preceded me in this debate, especially by the opponents of the bill, I shall not shrink from any expositions to which it may lead. . . It was yesterday asked, if the Democratic platform admits the principle—the right to make these appropriations—for what have the Democrats contended? The gentleman from Maryland, [Mr. McLANE,] in view, doubtless, of the ill-defined politics of the interrogator, [Mr. HOLMES,] whose personal experience enables him better to appreciate a support of men than of principles, answered, in 1844 "Polk and Dallas;" in 1848 "Cass and Butler." The answer, so far as intended to designate only the standard or watch-words with which

we entered and prosecuted those contests, was well enough. Had it been designed to convey the idea that there were no principles contended for by us, it would have been wide of the truth. Upon the very subject now under discussion there was, especially in 1844, a well-defined issue between the two parties. Mr. Clay was intimately identified with Mr. Adams's *general* system of internal improvements—embracing the Maysville turnpike, and roads and canals generally, wherever the caprice of the moment, or the interests of a few influential men might require governmental expenditures for such purposes. Against this, and against the candidate, the "embodiment" of the party advocating it, the Democrats took ground, declaring their opposition to a *general* system—a system which included works of such character. They desired to limit the system to *national* works; the expenditures to "existing channels of navigation." Our principles have always been well defined. We have ever sought to legislate within constitutional bounds, for the "greatest good to the greatest number." Hence we have been found arrayed against a United States Bank and a protective tariff—measures which, like all monopolies, built up the *few* and rendered the *many* subservient to them. If our principles have not been advocated in every political contest, it has been for the reason that our opponents have declined joining issue with us, thereby endeavoring to induce a belief of their acquiescence in our principles, although, desiring the "spoils," they would not sustain our men. And when there was no opposition to a principle avowed, there need be no advocacy of it. In taking "Polk and Dallas," "Cass and Butler," as our candidates—our party watch-words—we took them not with new principles, or with none, but with those avowed by the conventions at which they were nominated, and to which they were pledged by their past lives. We knew not only for *whom*, but for *what* we were contending. How with our opponents? Were they fighting for office, not principles? So it would seem: for in 1840 and 1848, they certainly nominated men from motives of expediency. They either had no principles, or dared not advocate them. They neither knew nor apparently cared what were the principles of their candidates. Hence they would not rely even upon the unembellished names of their candidates, as typical of their party principles, lest the nature of the latter might be betrayed; and therefore added to their ticket, as gudgeon bait, the unmeaning "Tip and Ty," "Rough and Ready," and flung to the breeze as the banner under which they were willing to march to victory or defeat, a cider barrel and the night-prowling, thievish coon. I trust, for the credit of our country, whose destinies are now in the hands of that party, that these are not emblematical of Whig principles. But do they know even *now* what their principles really are? I see upon that side of the House men acknowledged and acknowledging themselves as "Woolly Heads," and others as "Silver Grays," both factions claiming to be Whigs, yet professing principles as widely apart as the poles. Which is the "Simon Pure?" It ill becomes any one acting with them to ask, "for what have the Democrats contended?" They must cast the beam out of their own eyes before they see the mote in ours. The principle now under discussion is one of

national, not sectional nor political character. The benefits arising from its adoption are for all. It is impossible to separate the commercial prosperity of the whole country from the character of the improvements proposed by this bill. It is one, therefore, which should be sustained by both parties—not sought to be converted into political capital *pro* or *con* by either. It is matter of surprise to me that gentlemen can be found upon this side of the House who will venture to denounce Democrats advocating this principle, and question their political orthodoxy. I have shown that the very resolution under and by which they claim that the Democratic party is committed against the principle, was not so intended nor so understood by the first Democratic Administration which came into power after its adoption. The resolution then being recent, and the acts and discussions which led to its adoption fresh in the minds of all, that Administration, of all others, must be supposed to have been best informed as to its objects and its meaning. If entertaining similar views, and acting in harmony with the acts and opinions of almost every Democratic President and Democratic Congress, does not constitute political orthodoxy in the matter before us, I fancy any effort to erect a creed which can be so considered, must fail. The truth is, the opponents of the bill upon this side of the House, fearing they cannot defeat it upon fair argumentative grounds, wish to interpolate opposition to it into the Democratic creed, and hope thereby, by making it a party question, to increase the chances of its defeat. I no more recognize their right to make this interpolation than I do that of the gentleman from Mississippi, [Mr. BROWN,] as demanded in his recent speech, to ingraft upon our creed the principle of express protection by the General Government of negro property in all our Territories.

Mr. BROWN. Certainly, I expect the party to adopt that principle.

Mr. FITCH. No, sir, no sooner than they will adopt the principle of total abolition of that property in the States where it now exists. Nor will denunciation of those who will not submit to such interpolations, strengthen the hands of those attempting them. The Democratic opponents of this bill, to sustain their orthodoxy, have alluded to Mr. Polk's veto. To sustain that of its Democratic friends, I will call attention to the vote on the passage of the same bill thus vetoed. In the Senate, among those who voted for the bill I find the names of Messrs. Allen, Benton, Breese, Cass, Dickinson, Dix, Hannegan, Rusk, and Sevier. Will any one venture to question the Democracy of these men?—men recognized, not only by their own party, but by the nation and the world as not merely Democrats, but statesmen eminent for talent and patriotism—for their integrity, and the sincerity with which they have advocated their country's best interests. I want no better political indorsers, and would not exchange one of them for one half—no, nor for three fourths of the opponents in this House of the bill now before us. This vote, and the "record" for years past, show conclusively what are the landmarks and principles of the Democratic party. And those of the party who oppose the right involved in this bill, and have thereby bolted their party "land-

marks and principles," shall not divert attention from their own erratic course by any cry of "Stop thief!"

Of all the opposition to this bill, that which comes from my own section of country surprises me most—appears the most unnatural. Many of my own colleagues oppose it. Their reasons I know not. Doubtless they have reasons as satisfactory to themselves, as are mine to my own mind for its support. With Lake Michigan upon our north, the Ohio upon our south, Lake Erie but a short distance from our eastern border, and all of these the frequent scenes of disasters involving immense loss of life and property, and with our railroads and canals pointing to all—has Indiana no interest in the bill? Justice to our constituents and their interests dictate, it seems to me, and the welfare of the whole country justifies, our support of the bill; while, at the same time, there is no party principle involved to forbid such support; for the bill does not contemplate a *general* system of internal improvements. What is meant by a *general* system of internal improvements, we of Indiana well know, and have been well taught by experience the evils of such system, whether undertaken by State or General Government. But this bill contemplates no roads, no canals, no artificial channels of trade of any kind.

Mr. GORMAN, (interrupting, and Mr. FITCH giving way.) While my friend has referred to some of his colleagues, and has read the names of several distinguished Senators as having voted for a certain bill, I trust my friend will do justice to all by stating to the House that the bill, to the Senate vote on which he referred, was a separate bill for a particular and specific object. Mr. Dix, of New York, introduced thirty-two different bills for different objects of internal improvement, and it was one of these bills upon which this vote was taken. If my colleague will introduce thirty-two different bills for rivers and harbors, I should most probably find some for which I would vote.

Mr. FITCH. I was not aware of the introduction by Mr. Dix, or any one else, of the thirty-two bills which my colleague mentions. I cannot state, as my colleague desires, that the bill, to the Senate vote on which I have alluded, was one of the thirty-two bills he mentions, because such is not the case.

Mr. McLANE. The gentleman [Mr. GORMAN] has entirely misapprehended. There were no such thirty-two bills reported as the gentleman has referred to. The vote which his colleague [Mr. FITCH] mentioned was on the usual river and harbor bill.

Mr. GORMAN. I know the fact that Mr. Dix did introduce thirty-two separate bills, containing appropriations for different objects, each one.

Mr. McLANE. The issue which the gentleman [Mr. GORMAN] wishes to make with his colleague is upon a single vote recorded upon the Senate journal. It is the vote upon the river and harbor bill. The vote read by the gentleman from Indiana, on my right, [Mr. FITCH,] was a vote upon the entire river and harbor bill. The bill upon which that vote was taken constituted three fourths of the bill which is now upon the Clerk's desk, and it was the bill which Mr. Polk vetoed.

Mr. FITCH. I was aware of that. But, Mr. Chairman, supposing it had been a separate bill for a separate work, my colleague says that he might vote for some of such separate bills. The principle, the right—and it is for that I am contending—would be the same. The difference in principle between appropriations for different objects of the same character grouped in one bill, and separate appropriations for the same works in separate bills, is much like the difference between tweedle dee and tweedle dum.

In connection with other reasons which *might* govern Indiana's Representatives, is a resolution adopted by the last Democratic State convention for the nomination of State officers. They regarded "the improvement of our lakes, harbors, and western rivers, and the tributaries of the great western lakes, as proper subjects for the action and fostering care of the General Government." We have no reason to doubt their sincerity in adopting this resolution, and no right to question their Democracy. The same resolution was adopted by the convention which nominated me to the seat which I now hold; and were there no other reason for voting appropriations for improvement of the commercial channels mentioned, I should deem myself bound to represent the wishes of my constituents, as proclaimed in that convention. Perhaps the past action of Indiana's Representatives upon this floor relative to this subject may not have reflected the will and wishes of our State; but, if not, ourselves and our fellow-citizens have singularly neglected to make known the fact. If their action was a true reflection of the sentiments of those who are now *our* constituents, why should *our* action be different? No change adverse to former action upon this river and harbor question has occurred; or, if it has, the change is unknown to me. Let us see, then, what have been the votes of our predecessors. On the 28th February, 1845, a river and harbor bill passed the House, *every member* from Indiana voting in the affirmative! Eight of the ten were Democrats; and any attempt to question their Democracy will meet with but feeble response from Indiana. It is rare that any State, in the same number of Representatives, can boast of more talent than Indiana then possessed upon this floor. Among them were Davis, Kennedy, Owen, Petit, and Wright. The river and harbor bill, the veto of which by Mr. Polk has been made matter of such gratulation by the opponents of the bill now before us, passed the House 20th March, 1846. Six of Indiana's Representatives voted for it—one against it. One (Mr. Davis) was the presiding officer, and two did not vote. Later still, (December, 1847,) on a resolution declaring the existence of the power to make these appropriations, but *one* negative vote from Indiana is recorded.

The West contributes more than its proportionate share to the National Treasury. And what is our return? With the exception of now and then a grant of land grudgingly doled to us, with some condition annexed by which the National Treasury is guarded from loss, in what does our share consist? We ask no "fortifications." They are found in the hearts and rifles of our constituents. They are ever ready to

\* \* \* "join their hearts, and with their hearts their hands, That no dissension hinder Government."

We have no expenditures for splendid "custom-houses," "post offices," "mail steamers," nor "Branch Mints;" and shall we not have the pittance this bill offers, to improve our lakes and rivers, those noble channels of commerce which have made our States what they are, and added their millions to the wealth of the whole country? And yet we ask it not as an expenditure for local benefits. The whole country is interested—the North, South, East, and West are the objects of the bill. Whatever adds safety to the lake navigation benefits New York, Boston, and New Orleans, for they are the *entrepôts* for our products. Whatever improves the Mississippi and Ohio, benefits New Orleans at one extreme, Pittsburg, Baltimore, and Philadelphia at the other.

Mr. ALBERTSON, (interrupting.) I wish to ask my colleague a question. What is the amount of appropriation in the bill for the Ohio and Mississippi rivers; and to get that small pittance what amount do we vote to other sections?

Mr. FITCH. To the Ohio and Mississippi are appropriated some \$350,000; and the aggregate sum appropriated by the bill is somewhere near \$2,000,000.

Mr. ALBERTSON. Is any fair proportion of that for the improvement of the Ohio river? Is not \$50,000 of it intended for the river and harbor at St. Louis?

Mr. FITCH. I have examined the details of the bill more fully than my colleague appears to have done. The appropriation which it contemplates for that portion of the Ohio in which his constituents are directly interested is near \$120,000. This is a large proportion for one river. Is the opposition of my colleague (for I understand him to be opposed to the bill) a matter of *price*—of dollars and cents—as his questions would indicate? If so, his motives are different from mine. The bill appropriates but \$30,000 to the only harbor Indiana has on the Lakes. But it is not for that \$30,000 I am contending; neither shall I oppose the bill because the appropriation is not larger, as, in justice, it certainly should be. It is the principle for which I am contending, and principle should not be kept in market at any price. If the present appropriation for the Ohio is not sufficient, let the right, the principle involved be recognized, and appropriations can subsequently, as the national finances permit, be increased to the extent demanded by obstructions to the navigation of the river. That there are no objectionable features in this bill, I am not prepared to say. There doubtless are such. No one, in my judgment, should vote against a bill of this character, unless for some better reason than the fact that not having personal knowledge of the necessity of all its items, he *fears* some of them may not be absolutely essential to the national prosperity. It was well said by a former committee of Congress that "it would doubtless be better that an occasional error should occur in favor of some subordinate or unimportant improvement, than that our whole commerce be exposed to peril and left without protection." Having no personal knowledge of the extent of commerce, in parts of our widely-extended Union remote from my own section, I will not assume to say whether or not every river and harbor embraced in this bill is such as to constitute it national; whether or not the commerce of all requires

and deserves the fostering care of Government to remove accidental obstructions, or afford safe harbors. I can no more judge of these things than can those members living in other remote sections know or judge of my own. From the very nature of our Government, and the extent of our country and diversity of its interests, we must necessarily rely upon each other, and the Departments, and our committees, for the information upon which much of our legislative action is based. The bill before us is based upon estimates from the proper Departments, having all the means of necessary information. It is framed by and reported from the regular standing committee of the House, to which all matters relating to commerce are referred. Coming before us under such circumstances, the man must have an overweening opinion of his own knowledge and sagacity, who will cavil at its details, or oppose it because, in his opinion, some of its items are too large or too small. So long as its aggregate keeps within such moderate limits as similar acts heretofore passed indicate; and there is no war or other existing condition of the nation or Treasury to forbid its passage, the only question to be settled in relation to it, in my mind, is the principle involved—the right to make *any* appropriations for the objects contemplated. I am clearly satisfied of that right.

Mr. AVERETT, (interrupting.) Will the gentleman allow me to ask him to draw the distinction between the *general* system of internal improvements which was denounced by the Baltimore platform, and a system made up of parts put together as in this bill?

Mr. FITCH. I have answered the question before it was asked; but will answer it again with pleasure. I have traced the origin of the opposition to a *general* system of internal improvements; and stated what that system was—proposing as it did, canals, and including roads like the Maysville turnpike. The very phraseology of the Baltimore platform clearly marks the distinction they drew. A *general* system, must be a system including the whole class or order of works which can come under the head of internal improvements. A *general* system comprehends all, in contradistinction of a *special* or *partial* one. It is to be presumed that other political bodies as well understand the meaning of words, and can use them as appropriately as Congress. A *general* system, then, would embrace roads and canals, and slack-water navigation. There are no such works contemplated in this bill. On the contrary, it provides only for improvement of those great channels which nature and nature's God has given us, by removal of accidental obstructions, and such additional works as may be necessary to render harbors safe. The great commercial channels are by law exclusively under the superintendence of the General Government. You will not permit the individual States to control them, and lay tonnage duties for their improvement; you will not permit individuals or associations to improve them and collect toll, because they are national highways, which you esteem it unsafe to intrust either to States or individuals. And yet you declare that the General Government must not, and cannot of right, improve and render them safe. Such policy is a practical illustration of a fable which the opponents of this bill may read, perhaps, with some benefit.

The amount of expenditure contemplated by the bill is urged as an objection to it. The amount, as compared with that appropriated by previous bills of the same character, and the importance of the interests, for which it is to be expended, is small. But even were it larger proportionally than usual, that should be the last objection urged by the opponents of the bill. It is a maxim in law, I believe, that a man shall not avail himself of his own wrong. The same law should hold good in politics. If it did, the opponents of the bill would be debarred any objection of this kind. It has been in consequence of their efforts that no appropriation for rivers and harbors has been made for ten years past. When the last appropriation was exhausted, a number of harbors were nearly completed. Timber, and other materials to a large amount, were collected for completion or further prosecution of the works. Snag boats and other necessaries for clearing obstructions from the rivers were then on hand and in good condition. A small additional expenditure would have permanently finished such harbors—would have saved and usefully applied the timber and other material collected—would have kept in repair, and in active and useful employment in clearing obstructions from rivers, the snag boats and their accessories. But you refused, and prevented such appropriations; consequently harbors nearly completed were, in their unfinished condition, seriously damaged; timber, and material, and snag boats suffered to decay, or sold for less than interest upon cost. And now, because we ask for a greater amount than would be necessary were it not for this wrong you have inflicted, you make that amount an objection to the bill.

The gentleman from Louisiana, [Mr. MORSE,] in the course of his remarks, declared his belief that the bill was an iniquitous one, and expressed the hope that a tariff amendment would be offered to it though entirely irrelevant; and avowed his intention, if such amendment was offered, though opposed to any tariff proposition which would be likely to come from the other side of the House, to vote for it, for the purpose of so loading down the bill as to insure its destruction. This was designed as a hint for the guidance of the enemies of the bill on the other side of the House. I regretted to see such a spirit manifested. It is not the open, manly, ingenuous opposition we have a right to expect to a measure of this character and importance. It is not even creditable strategy—for that implies some cunning. It is stooping to a legislative trick for the purpose of defeating a measure, which an opponent fears cannot be successfully opposed on its merits.

Mr. MORSE. I hope the gentleman will not apply any personal epithets. Did I understand him to use the word "stupid" in allusion to me? [Laughter.]

Mr. FITCH. The gentleman has mistaken *stooping* for *stupid*. [Laughter.]

I might, if time permitted, draw a parallel between the appropriations east and west—between those in this bill which are for expenditure in the West, and those which from their very nature and purposes are expended east, and are often of a local character. Suffice it to say the balance is largely due us. And, again, I repeat, shall we not have the small pittance proposed by this bill to be expended West, though for the common benefit

and welfare? If we do not obtain it, we are de-  
spoiled of that which is justly ours. If we sub-  
mit to such spoliation we deserve worse—deserve  
not only to be despoiled, but to be taunted with

the cowardly weakness which divisions beget, and  
told to stand aside while some other section better  
united takes the lion's share—all!

---

Printed at the Congressional Globe Office.